

# 1228 Wyoming Avenue

City of El Paso — Plan Commission — 7/12/2018

PZST18-00006 Special Permit



**STAFF CONTACT:** Andrew Salloum, (915) 212-1603, salloumam@elpasotexas.gov

**OWNER:** Samajeda Properties, LLC

**REPRESENTATIVE:** Jesus L. Jaime

**LOCATION:** 1228 Wyoming Avenue, District 8

**LEGAL DESCRIPTION:** Lot 13 and the west of 15 feet of Lot 14, Block 23, Franklin Heights Addition, City of El Paso, El Paso County, Texas

**EXISTING ZONING:** C-4 (Commercial)

**REQUEST:** Special Permit for Infill Development to reduce required rear and side setbacks and a 100% parking reduction

**RELATED APPLICATIONS:** N/A

**PUBLIC INPUT** Planning has not received any communication in support or opposition to the special permit request; Notices sent to property owners within 300 feet on June 27, 2018.

**STAFF RECOMMENDATION:** Approval (see pages 2—9 for basis of recommendation)

**SUMMARY OF REQUEST:** The applicant is requesting a special permit for infill development and detailed site development plan review to reduce rear yard setback and side yard setback in the C-4 (Commercial) district for a mixed use of business office and triplex. The applicant is also requesting for a 100% parking reduction.

**SUMMARY OF RECOMMENDATION:** The Planning Division recommends **APPROVAL** of the special permit request and acceptance of the detailed site development plan. The proposed development is consistent with its established neighborhood of surrounding commercial and office buildings, and single and multi-family dwellings. The proposed development is compliant with the G-2 (Traditional Neighborhood) land use designation of Plan El Paso in the Central Planning Area.



## DESCRIPTION OF REQUEST

The applicant is requesting a special permit for infill development and detailed site development plan review to reduce rear yard setback and side yard setback in the C-4 (Commercial) district for a mixed use of office and triplex. The current use of property is an existing vacant 6,277 sq. ft. structure. The detailed site development plan shows the two story combined business office and triplex, 23 ft. 1 in. in height above the surface at its highest point. The applicant is requesting the following reductions: from the required 10 ft. rear yard setback to 1 ft. and the required 10 ft. side yard setback to 0 ft. The applicant is also requesting for a 100% parking reduction. The development requires a minimum of twelve (12) parking spaces. The applicant is providing one (1) accessible parking space and three (3) bicycle spaces. A parking study was submitted as required, see attachment 4. The parking study shows 45 on-street parking spaces within 300 ft. of the subject property. The highest count shows 31 spaces occupied and 22 spaces vacant. Access to the subject property is proposed from Brown Street via the alley.

## SPECIAL PERMIT REQUIREMENTS

To grant the special permit to allow for infill development, the applicant must comply with the following standards, per 20.10.280:

**LOCATION CRITERIA:** The subject property meets each of the following locational criteria for an infill special permit (**Note: A minimum of one location criterion from El Paso City Code Section 20.10.280 (B) is required to be met**):

### 20.10.280 – Infill Development. Section B – Location Criteria:

3. Any parcel of land annexed prior to 1955.

*According to the City's annexation map, the subject property was annexed in 1889, as part of the 1889 Charter.*



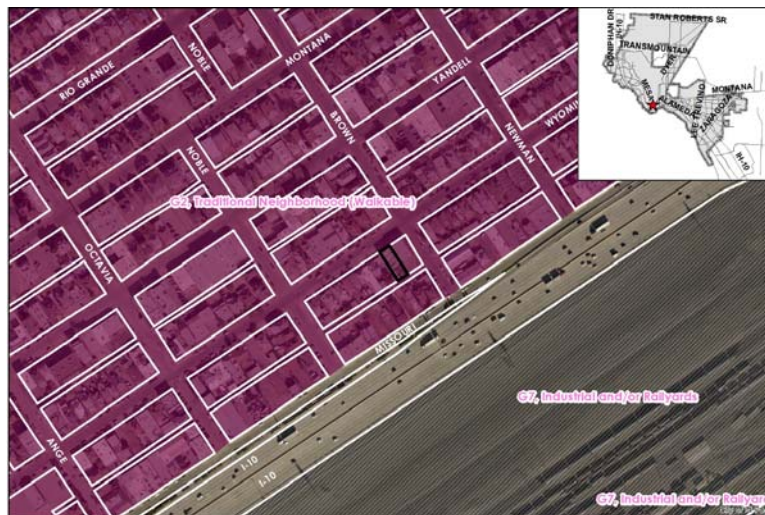
4. Parcels of land within or that share a common property line to an existing subdivision platted for no less than twenty-five years.

*The subject property is within the Franklin Heights Addition Subdivision, which was approved in 1901.*



6. Parcels of land within areas identified by the city's comprehensive plan as G-2 traditional neighborhood and G-7 industrial and/or railyards.

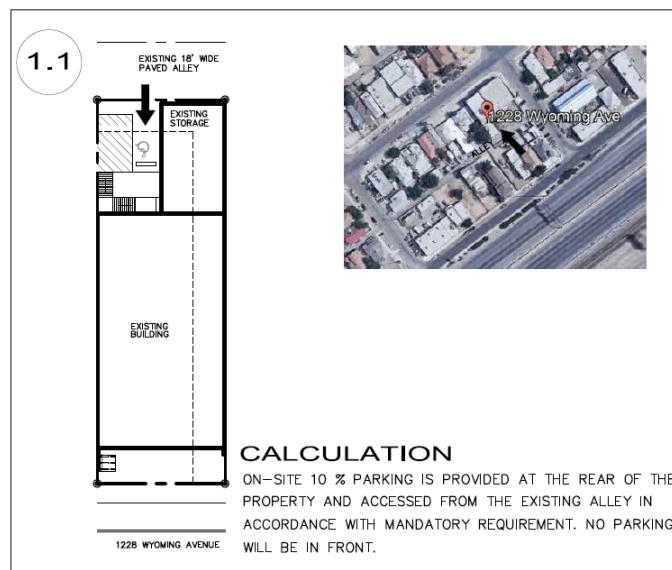
*The subject property is within the G-2, Traditional Neighborhood (Walkable) Future Land Use Designation in Plan El Paso, the City's adopted Comprehensive Plan.*



**MANDATORY DESIGN REQUIREMENTS:** The subject property meets all of the following mandatory design requirements for an infill special permit (**Note: All applicable mandatory design requirements from El Paso City Code Section 20.10.280 (C)(1) are required to be met**):

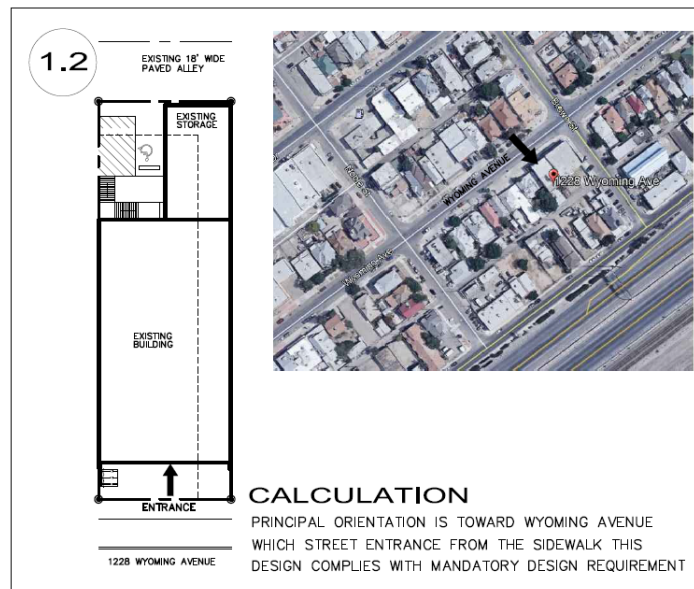
**20.10.280 – Infill Development. Section C.1 – Mandatory Design Criteria:**

1.1: Where on-site surface parking is proposed, it shall be located at the rear of the property and when possible accessed via alleyway; or at the side of the property and screened in accordance with Section 21.50.070(F)(5). On-site surface parking shall not be located in the front yard.

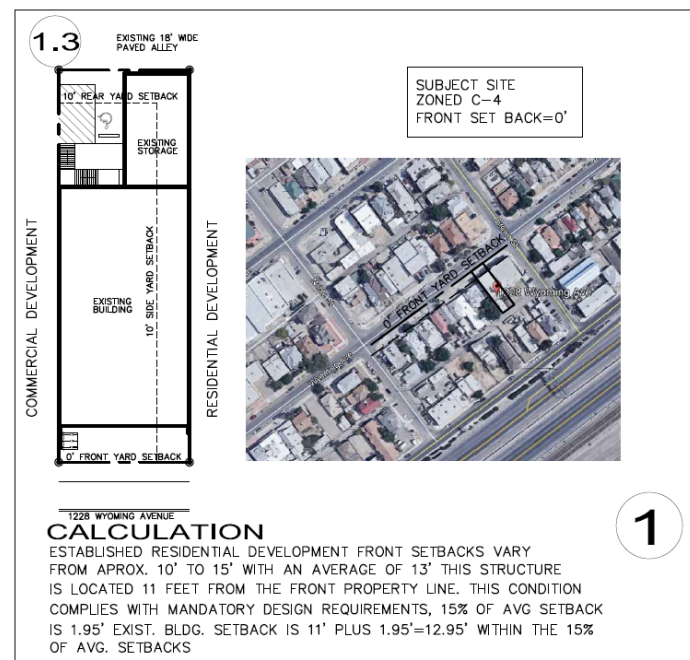


1.2: Buildings shall be placed on the parcels such that the principal orientation is toward the main street and the principal entrance is from the sidewalk.





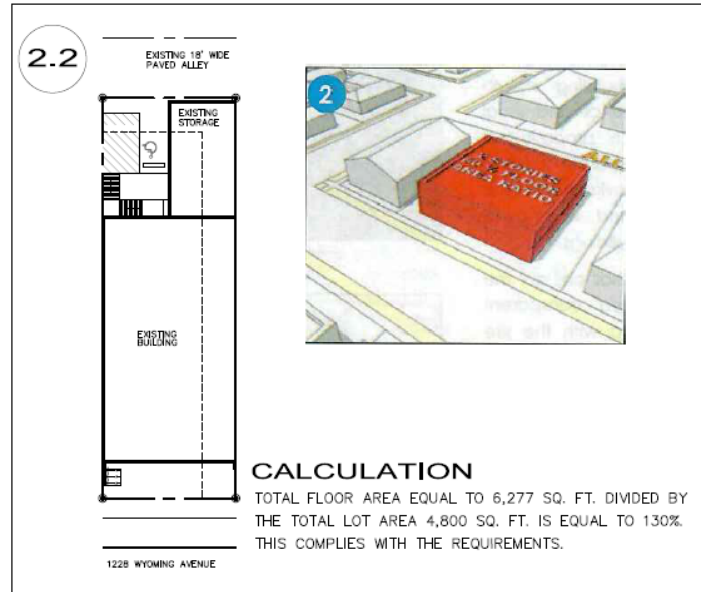
1.3: For proposals abutting existing residential development the front building setback shall not deviate from the average front setback of lots within the same block as the proposed development by more than fifteen percent.



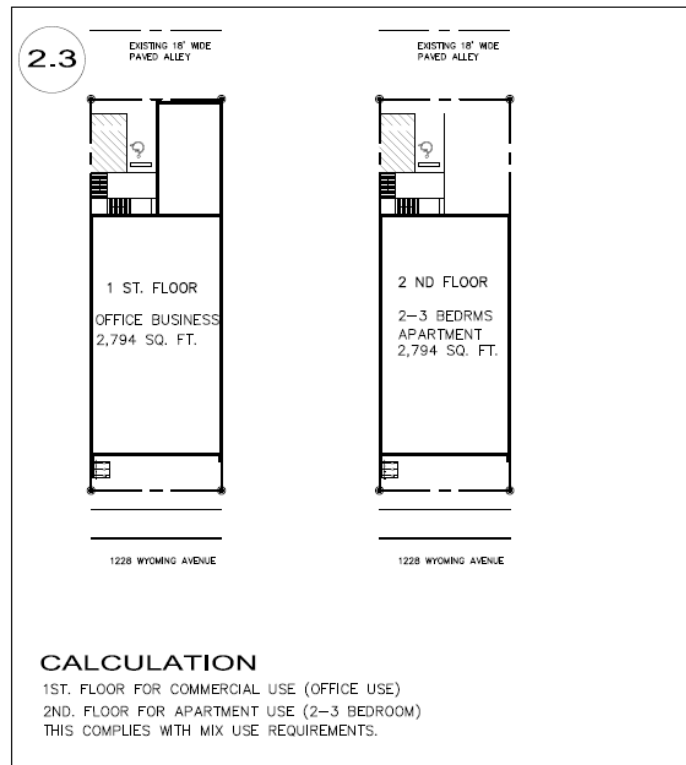
**SELECTIVE DESIGN REQUIREMENTS:** The subject property meets each of the following three (3) selective design criteria for an infill special permit (**Note: A minimum of three (3) selective design requirements from El Paso City Code Section 20.10.280 (C)(2) are required to be met**):

**20.10.280 – Infill Development. Section C.2 – Selective Design Criteria:**

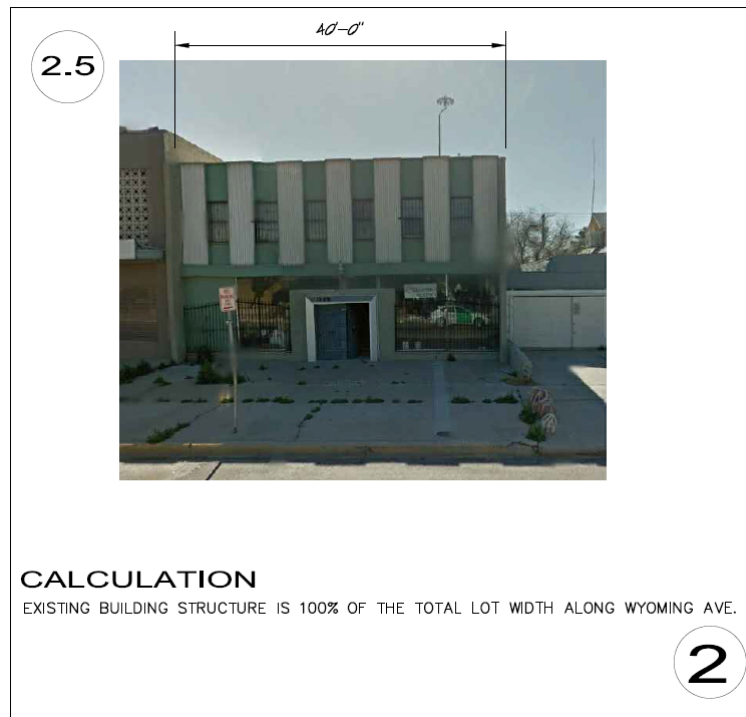
2.2: The percentage of gross floor area divided by the total lot area for infill development projects shall be no less than 80%.



2.3: The project shall propose a mix of land use categories as classified in Section 20.08.030 (e.g. residential and commercial).



2.5: The total width of the primary structure shall be greater than or equal to 80 percent of the total lot width along the main street. For the purposes of this calculation, any necessary vehicular access driveway shall be subtracted from the total lot width.



2.7: The height of any proposed infill development shall be equal to at least half the width of the widest abutting street.



## RELATION OF PROPOSED CHANGE TO THE CITY'S COMPREHENSIVE PLAN

CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
<p><b><u>G-2 TRADITIONAL NEIGHBORHOOD (WALKABLE)</u></b></p> <p>This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.</p>	<p>Yes. The the proposed development meets the intent of the G-2, Traditional Neighborhood (Walkable) Future Land Use Map designation. Access is proposed from an existing alley. The character of the proposed development is substantially similar to those long in existence on its block. The proposed building is shown facing the street. The principal entrance to the subject property is proposed from the sidewalk on Wyoming Avenue.</p>
ZONING DISTRICT	DOES IT COMPLY?
<p><b><u>C-4 (Commercial)</u></b></p> <p>Regional Commercial Districts. The purpose of these districts is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.</p>	<p>Yes. Mixed-use of business office and triplex are permitted by right in the C-4 District. The proposal meets all dimensional requirements other than that for which the infill special permit is sought.</p>
POLICY	DOES IT COMPLY?
<p>2.2.5: The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing, jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.</p>	<p>Yes, the applicant is proposing business office and residential within walking distance of an established commercial and residential neighborhood.</p>

**SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The parcel is 0.11 acres in size. The proposed development is allowed under the current C-4 (Commercial) zoning district.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:** The intent of the Zoning Ordinance is to protect the public health, safety, and general welfare; to regulate the use of land and buildings within zoning districts to ensure compatibility, and to protect property values. The intent of the C-4 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.



**ADEQUACY OF PUBLIC FACILITIES AND SERVICES:** Per reviewing departments, the subject property is adequately served by the existing infrastructure to accommodate the proposed use. A new water service permit will be required, which will require coordination with the El Paso Water Utility.

**EFFECT UPON THE NATURAL ENVIRONMENT:** The subject property is not within any arroyos or within environmentally sensitive areas.

**COMMENT FROM THE PUBLIC:** The subject property falls within the boundary of the Central El Paso Community Organization, El Paso Central Business Association, and Houston Park Neighborhood Association. All of which were contacted as required by 20.04.520. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on June 27, 2018. The Planning Division has not received any public comment regarding this Special Permit request.

**STAFF COMMENTS:** No objections to proposed special permit and detailed site development plan approval. No reviewing departments had any comments. The applicant will need to coordinate with the El Paso Water Utility to establish service at the subject property. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

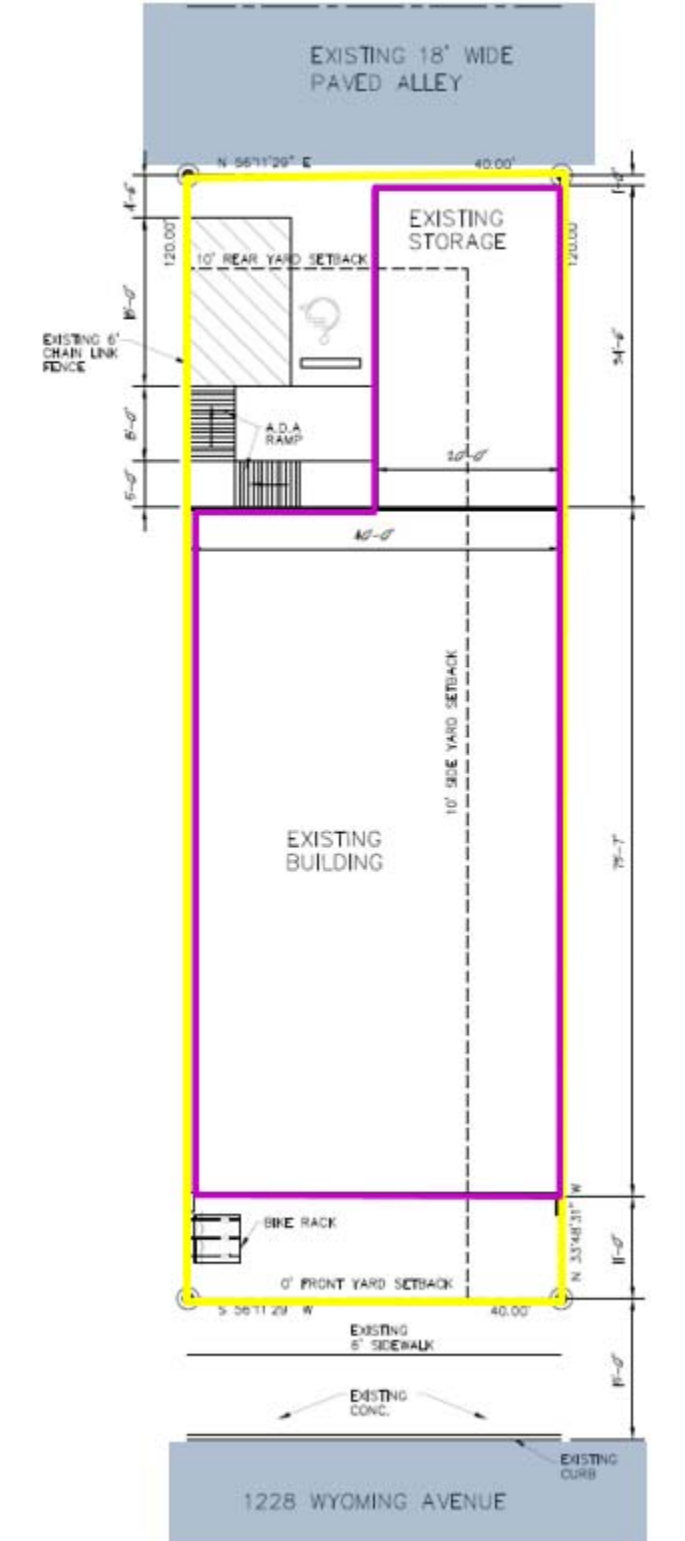
**OTHER APPLICABLE FACTORS:** Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

**ATTACHMENTS:**

1. Detailed Site Plan
2. Zoning Map
3. Future Land Use Map
4. Parking Study
5. Department Comments
6. Neighborhood Notification Boundary Map

# ATTACHMENT 1

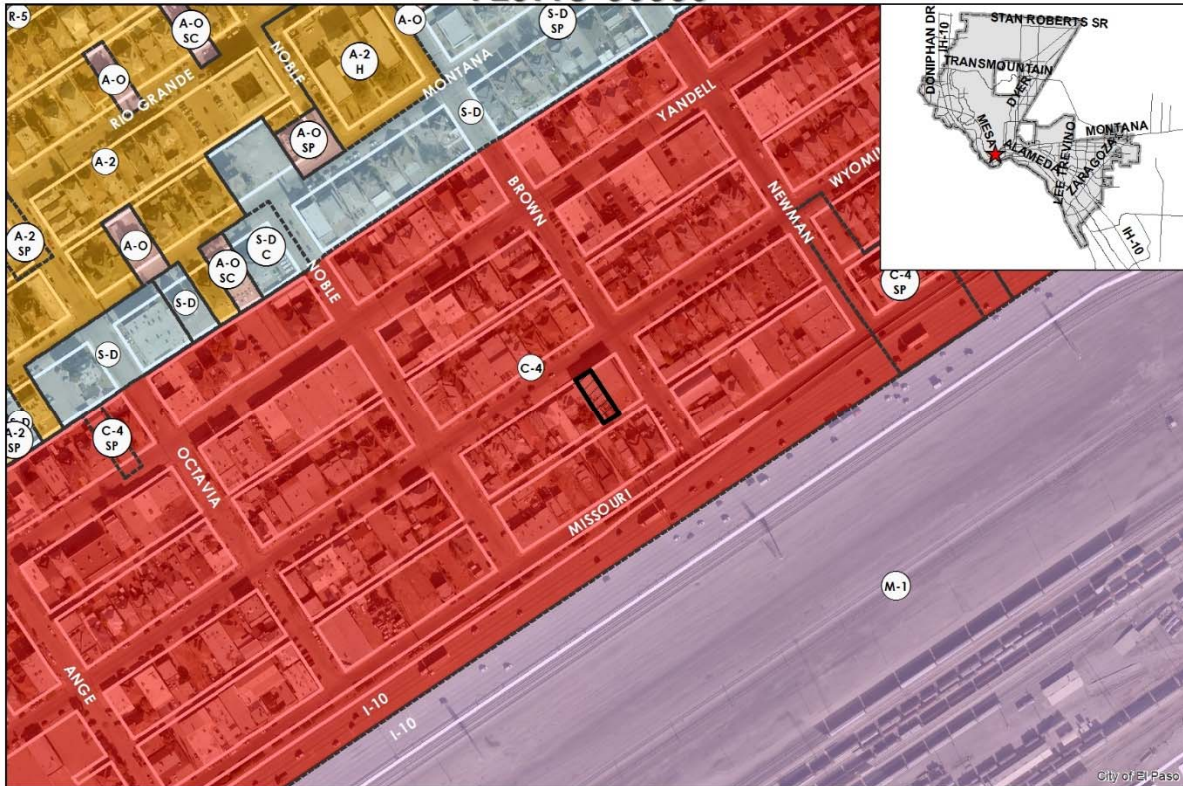
## Detailed Site Plan



# ATTACHMENT 2

## Zoning Map

PZST18-00006



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than 1:10,000 can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



 Subject Property

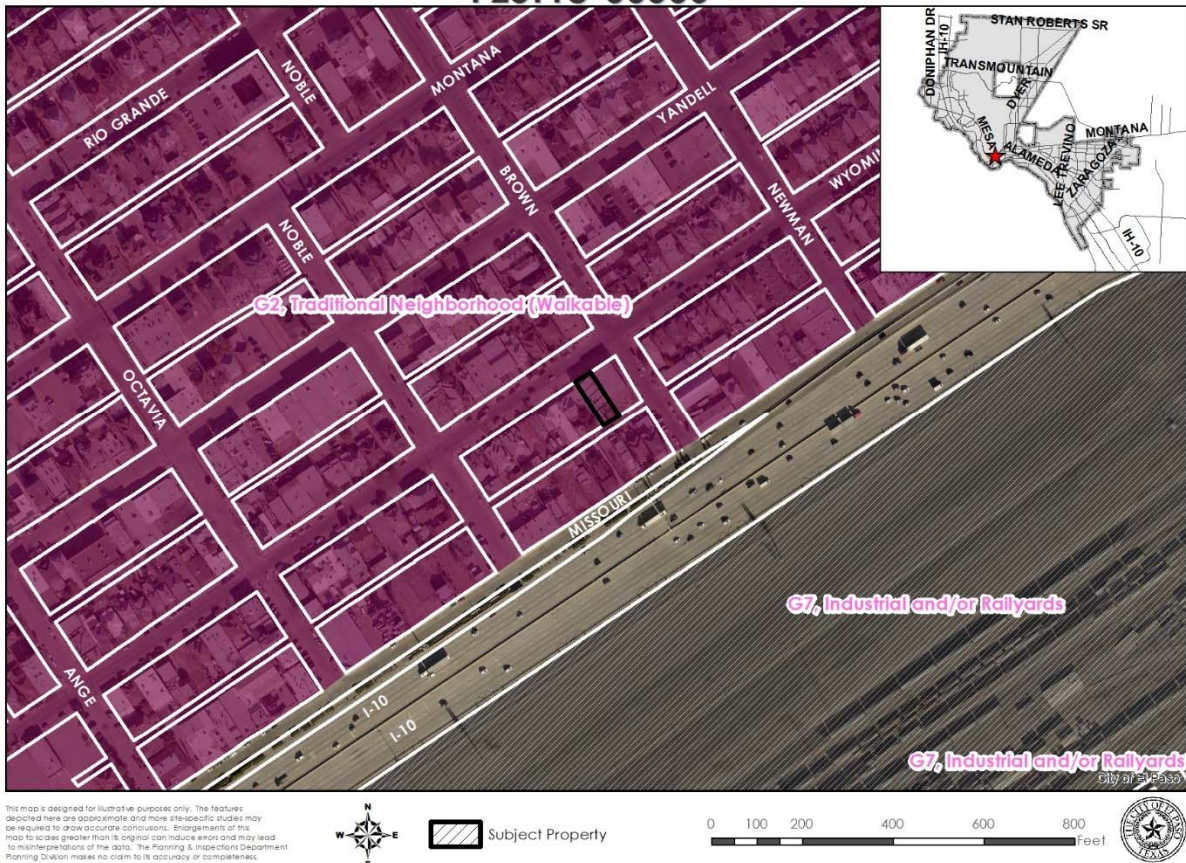
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# ATTACHMENT 3

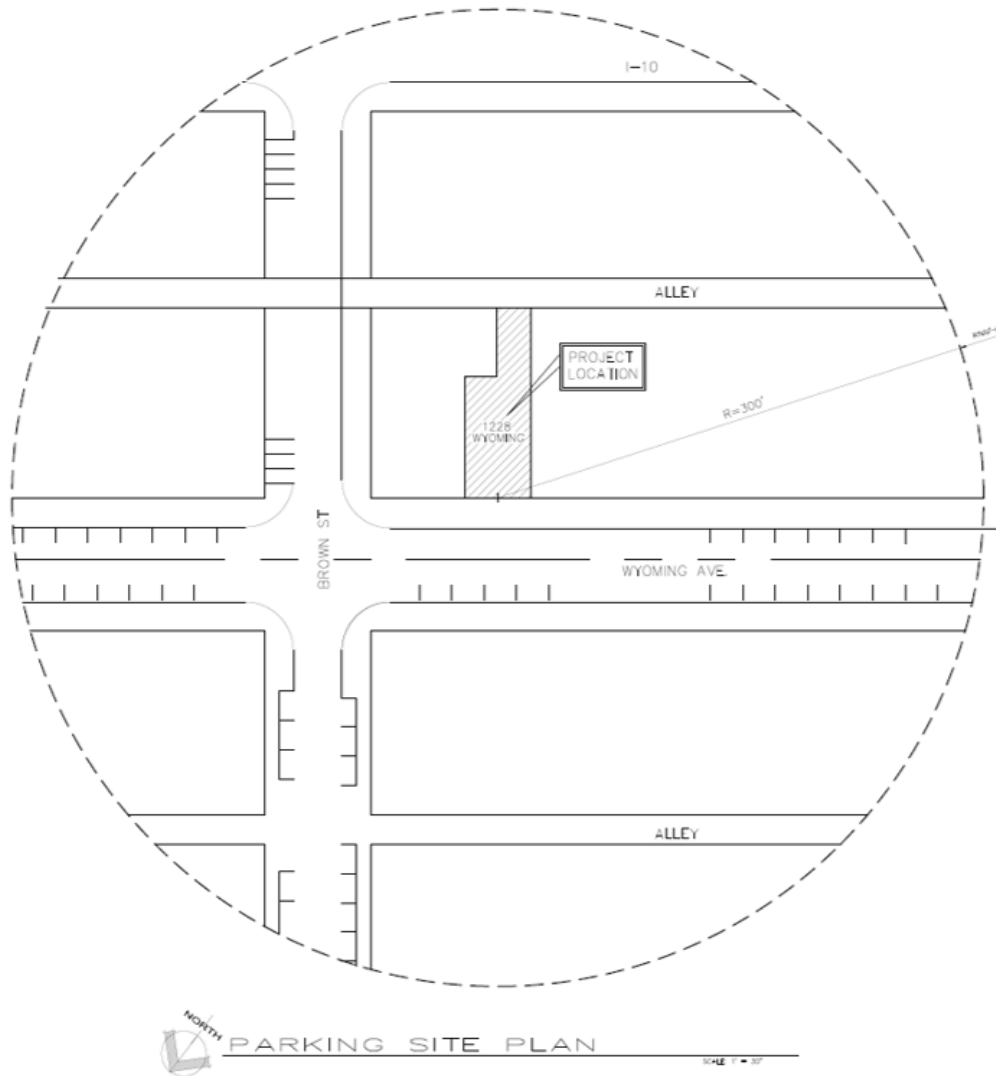
## Future Land Use Map

PZST18-00006



# ATTACHMENT 4

## Parking Study



### 45 PARKING COUNT ON MAY 8, 2018

TIME	WYOMING AVE. (28 AVAIL)		BROWN ST. (17 AVAIL)		TOTAL OCCUPIED		TOTAL AVAILABLE	
08.00 A.M.	19	OCCUPIED	9	OCCUPIED	28	TOTAL	17	TOTAL
09.00 A.M.	17	OCCUPIED	10	OCCUPIED	27	TOTAL	18	TOTAL
10.00 A.M.	19	OCCUPIED	11	OCCUPIED	30	TOTAL	15	TOTAL
11.00 A.M.	19	OCCUPIED	11	OCCUPIED	30	TOTAL	15	TOTAL
12.00 P.M.	19	OCCUPIED	11	OCCUPIED	30	TOTAL	15	TOTAL
01.00 P.M.	14	OCCUPIED	9	OCCUPIED	23	TOTAL	22	TOTAL
02.00 P.M.	15	OCCUPIED	10	OCCUPIED	25	TOTAL	20	TOTAL
03.00 P.M.	22	OCCUPIED	9	OCCUPIED	31	TOTAL	14	TOTAL
04.00 P.M.	17	OCCUPIED	12	OCCUPIED	29	TOTAL	16	TOTAL
05.00 P.M.	21	OCCUPIED	10	OCCUPIED	31	TOTAL	14	TOTAL
06.00 P.M.	20	OCCUPIED	9	OCCUPIED	29	TOTAL	16	TOTAL
07.00 P.M.	18	OCCUPIED	9	OCCUPIED	27	TOTAL	18	TOTAL
08.00 P.M.	19	OCCUPIED	10	OCCUPIED	27	TOTAL	18	TOTAL



# **ATTACHMENT 5**

## **Staff Review Comments**

### **Planning and Inspections Department - Planning Division**

No objections to the special permit and detailed site development plan.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

### **Texas Department of Transportation**

Development is not abutting State Right of Way.

### **Planning and Inspections Department – Plan Review & Landscaping Division**

No objections to special permit and detailed site plan.

Note: Proposed project shall meet all adopted building and city codes at time of submittal for construction.

### **Planning and Inspections Department – Land Development**

No objection to proposed special permit and detailed site plan.

### **Environmental Service**

Regarding this apartment/office DSP...since this property will have commercial waste collection, is there an existing dumpster that is being serviced in the alley for this property? If not, we would like the applicant to provide some documentation from a hauler franchised by the City that a dumpster could feasibly be placed and serviced in that alley.

### **Fire Department**

No objections.

### **Sun Metro**

Sun Metro recommends approval of this parking reduction request based on Section 20.14.070C (3) (D) of the El Paso Municipal Code, Parking Reduction.

### **El Paso Water Utility**

1. El Paso Water (EPWater) does not object this request.

Water:

2. There is an existing 4-inch diameter water main that extends along Wyoming Avenue, located approximately 3-feet north of the northern right of way. This main is available for service.
3. There is an existing 24-inch diameter water main that extends along Wyoming Avenue, located approximately 21.5-feet north of the northern right of way. No service connections are allowed to this water main as per the EPWU-PSB Rules and Regulations.
4. EPWater records indicate there is one (1) ¾-inch diameter water service serving the subject property. The addresses for these services is 1228 Wyoming Avenue.

5. Previous water pressure from fire hydrant #2581 located at northwest corner on Wyoming Avenue and Brown Street, has yielded a static pressure of 68 psi, a residual pressure of 64 psi, and a discharge of 1,126 gallons per minute.

Sanitary Sewer:

6. There is an existing 8-inch diameter sanitary sewer main that extends along the alley between Missouri Street and Wyoming Avenue, located approximately 10-feet south of the southern property's line. This main is available for service.

General:

7. EPWater requires a new service application to provide additional services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 8 to 10 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

## Neighbor Notification Map

This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than 1:50,000 can induce errors and may lead to misinterpretations of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.

0 100 200 400 600 800 Feet